



# **Santa Clara Police Department**

**The Racial and Identity  
Profiling Act (RIPA) – AB  
953**

**Date: September 8<sup>th</sup> 2021**



# Santa Clara Police



**City of  
Santa Clara**  
The Center of What's Possible





# Santa Clara Police Officer – RIPA Training





# Racial and Identity Profiling Act of 2015

- **History**

- 2015 signed into law
- Established a RIPA board –Board Members are a cross section of the community, scholars and LEO.
- Purpose – to eliminate racial and identity profiling and improve racial and identity sensitivity in law enforcement
  - Analyze data regarding citizen complaints and existing policies related to racial and identity profiling.
  - Enhance training regarding racial and cultural differences.
  - Conduct evidence-based research on bias and interactions between L.E. and the community.
  - Review training by CA POST regarding racial and identity profiling required by RIPA.
  - Requires law enforcement agencies to collect information on all stops
    - Any detentions or searches (includes consensual searches)
    - Report this information to the CA Department of Justice



# Santa Clara PD – Research and Testing

- Started research and testing in October 2019
  - Included 8 months of IT upgrades and testing.
  - Consulted with agencies in Waves 1, 2, 3 and 3.5 (on going).
  - 12+ months of allied-agency review and training of RIPA implementation
  - 6 months of policy review and adoption.
  - Weekly meetings with CA DOJ and Hexagon.
  - Prepared for community engagement opportunities.
  - Super-User group formed to test platforms.
  - Tested 5 different data-capture platforms.
- |         |        |            |       |                  |
|---------|--------|------------|-------|------------------|
| Hexagon | CA DOJ | Crossroads | LEFTA | San Diego County |
|---------|--------|------------|-------|------------------|
- Test runs with our officers
    - 7 mins per entry (initial)
    - 1-3 mins per entry (over time)





# How does this affect SCPD?

- Starting Jan. 1<sup>st</sup> 2022, all agencies with 333 – 0 sworn officers are mandated to submit stop data.
- April 2023, CA DOJ will publish the data to the public.
- **One entry per stop, per person detained.**



# Peace officers only



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“Peace officer,” as defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2 of the Penal Code, is limited to members of the California Highway Patrol, a city or county law enforcement agency, and California state or university educational institutions. “Peace officer,” as used in this section, does not include probation officers and officers in a custodial setting.



Source Document – AB 953  
Legislative Text





# Detention

“Detention” unless otherwise provided in these regulations, means a seizure of a person by an officer that results from physical restrain, unequivocal verbal commands, or words or conduct by an officer that would result in a reasonable person believing that he or she is not free to leave or otherwise disregard the officer.



For purposes of this section, “stop” means any detention by a peace officer of a person, or any peace officer interaction with a person in which the peace officer conducts a search, including a consensual search, of the person’s body or property in the person’s possession or control.

Source document – CA legislative text AB 953







# RIPA Data Collection Requirements

**Data collection on all stops – defined as any detention or search (includes consensual searches). Uses of force will also necessitate data collection. Officers must submit data before end of shift unless exigent circumstances exist.**

## Officer Information

- ☐ Years of experience
- ☐ Assignment
- ☐ Unique ID Number



## Perceptions

- ☐ Race or ethnicity
- ☐ Age
- ☐ Gender
- ☐ LGBT
- ☐ Limited or no English fluency
- ☐ Known to have a disability



## Stop Details

- ☐ Date of stop
- ☐ Duration of stop
- ☐ Location of stop
- ☐ Reason for stop
- ☐ Call for service?
- ☐ Actions taken by officer during stop
- ☐ Contraband or evidence discovered (if any)
- ☐ Property seized (if any)
- ☐ Result of stop

## Students

- ☐ Name of school
- ☐ Possible ED code violations




# Perception

- **Race** – Asian, Black/African American, Hispanic/latino(a), Middle Eastern or South Asian, Native American, Pacific Islander, White
- **Gender** – Male, Female, Transgender man/boy, transgender woman/girl, Gender non-conforming
- **LGBT** – Yes or No?
- **Age** – Whole numbers
- **Limited English or No English Fluency** – Yes or No?
- **Perceived or Known Disability of Person Stopped** – Deafness or difficulty hearing, Speech Impairment or limited use of language, Blind or Limited Vision, Mental Health Condition, Intellectual or developmental disability, including dementia, Other disability, None.

# Perception



## Officer Perception

-  **Can perception be wrong?** No, there is no wrong perception but it must be YOUR honest perception. Government Code section 12525.5 requires officers to record perception data and the regulations make clear that officers should *not* record demographic data (age or gender) seen on the person's ID card. It is also unlawful to knowingly record false information.



# SCPD RIPA Challenges







# RIPA Platforms



CALIFORNIA AB-953 ADD-ON - Mobile Public Safety

Patrol

Motors



## STATE OF CALIFORNIA DEPARTMENT OF JUSTICE

### WARNING- AUTHORIZED USERS ONLY

Only authorized Department of Justice (DOJ) personnel may use the DOJ's computer system. Please understand that by accessing the system, users consent to the following terms: - Unauthorized access or improper use may result in criminal, civil, or administrative action. - Users have no reasonable expectation of privacy, and all activities, communications, and other uses may be monitored, audited, or disclosed, or used by law enforcement agencies. - State law prohibits the unauthorized use of public resources, including the DOJ's computer system, except for incidental and minimal personal use.

User ID

Username

Password

Password

LOGIN

[Forgot your Password?](#)

Bureau/Stadium



# CA DOJ Account

- Check your email from CA DOJ

Check your “junk” email

- Activate your account on your desktop or RW desktop.
- Make note of your CA DOJ RIPA Unique ID (**SCLECXXXX**)





# CA DOJ Login



**STATE OF CALIFORNIA  
DEPARTMENT OF JUSTICE**

**WARNING- AUTHORIZED USERS ONLY**

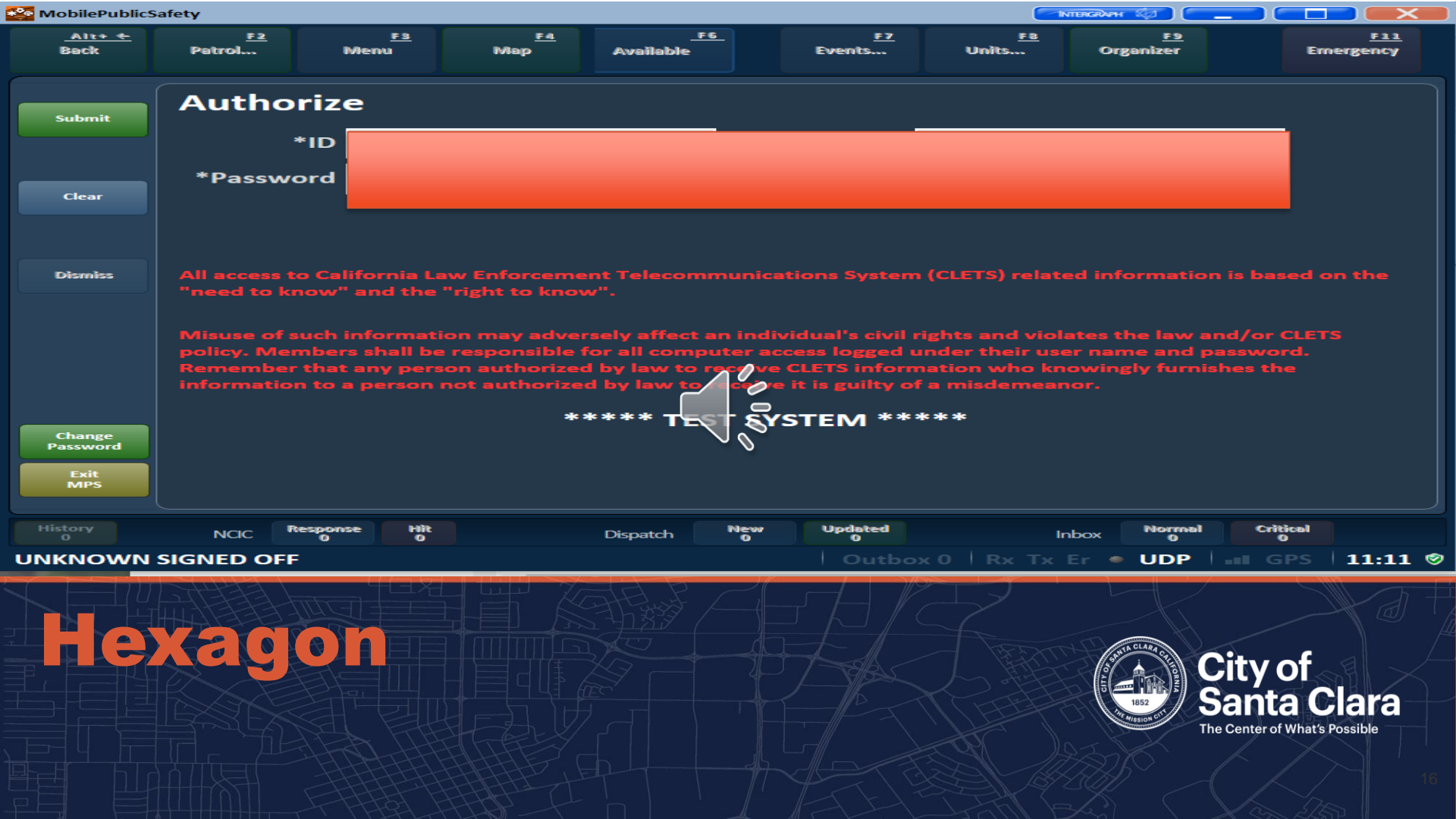
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User ID

Password

**LOGIN**

[Forgot your Password?](#)



# Hexagon



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Show List

Route to EventShow on MapTransportChange LocationPrint Active TabUpdate EventReload

PED STOP (1095)

545 EL CAMINO REAL SC

P210930000109/30 11:21:56

EventRemarksUnits (1)Staging AreasLOISupp InfoInformerAttachmentsAll

Address545 EL CAMINO REAL SC

Xstreet 1RAILROAD AVXstreet 2BENTON ST

Priority 2BeatPD03

TypePED STOP (1095)

Caller NameCaller Address

Caller NumberCaller SourceOFFICER

Contact Caller

Event IDP2109300001Created11:21:55 09/30/21

AgencySCPDDispatched11:21:55 09/30/21

DGroupPDClosed

Case Numbers

Dispositions

Alt+6Alt+7Alt+8Alt+9Alt+0BackPatrol...MenuMapNCIC...Clear...Events...Units...OrganizerEmergency

Event ClearAnti-Bias... (0)

SubmitCitationReport TakenNo ReportWarningGOAEmp Inv AlmMech Inv AlmUTL

ClearDisposition Code

DismissComments

# Hexagon



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Submit

Anti-Bias Reporting

Stop Detail

Stop Reasons

Person

Search

Search (cont.)

Stop Results

Clear

Dismiss

\*O [REDACTED] City SANTA CLx \*Yrs Exp 25

\*Assignment Other (10)x

\*Other ADMIN

Assignment

\*Location (est.) 500 BLOCK EL CAMINO REAL

\*Date 09/30/2021 \*Time 11:21 \*Duration 15 (minutes)

Call for Service ☒ K-12 School ☐

Submit + Add Person

Submit

Anti-Bias Reporting

Stop Detail

Stop Reasons

Person

Search

Search (cont.)

Stop Results

Clear

Dismiss

\*Stop Reason Reasonable suspicion that person was enga

\*Narrative SUSPECT SMASHED CAR WINDOW

Suspicion Officer Witnessed Crime (1)x Matched Suspect Description (2)x Witness/Victim Identification of Suspect

Suspicion Offense VANDALISM (594(A) - PC)x

History 1

NOIC Response 0 Hit 0

Dispatch New 0 Updated 0

Inbox Normal 0 Critical 0

A8 ARRIVE 545 EL CAMINO REAL SC / 1095

Outbox 0 | Rx Tx Er UDP GPS 11:24

Hexagon

MobilePublicSafety

Back Patrol... Menu Map NCK... Clear... Events... Units... Organizer Emergency

### Anti-Bias Reporting

Submit

Stop Detail Stop Reasons Person Search Search (cont.) Stop Results

Officer's Perceptions:

\*Ethnicity Asian (1)x \*Age 46

\*Gender Male (1)x Gender Nonconforming ☐

LGBTQ+ Yes ☐ No ☐ Limited English Yes ☐ No ☐

\*Disability Speech Impairment/Limited Language (2)x

Clear

Dismiss

Submit + Add Person

History 1 NCK Response 0 Hit 0 Dispatch New 0 Updated 0 Inbox Normal 0 Critical 0

A8 ARRIVE 545 EL CAMINO REAL SC / 1095 | Outbox 0 | Rx Tx Er • UDP | GPS 11:25

MobilePublicSafety

Back Patrol... Menu Map NCK... Clear... Events... Units... Organizer Emergency

### Anti-Bias Reporting

Submit

Stop Detail Stop Reasons Person Search Search (cont.) Stop Results

Actions Taken:

\*Actions Taken Curbside detention (4)x Patrol car detention (6)x Person photographed (16)x

Person Search:

\*Asked for consent to search person? Yes ☐ No ☐

\*Was consent given? Yes ☐ No ☐

\*Was a search performed? Yes ☐ No ☐

Property Search:

\*Asked for consent to search property? Yes ☐ No ☐

\*Was consent given? Yes ☐ No ☐

\*Was a search performed? Yes ☐ No ☐

Clear

Dismiss

Submit + Add Person

History 1 NCK Response 0 Hit 0 Dispatch New 0 Updated 0 Inbox Normal 0 Critical 0

A8 ARRIVE 545 EL CAMINO REAL SC / 1095 | Outbox 0 | Rx Tx Er • UDP | GPS 11:25

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MobilePublicSafety

Back Patrol... Menu Map NCIC... Clear... Events... Units... Organizer Emergency

### Anti-Bias Reporting

Stop Detail Stop Reasons Person Search Search (cont.) Stop Results

Search Details:

\*Contraband-Evidence None (1) x

\*Basis for Search Consent given (1) x

\*Explanation CONSENT SEARCH FOR WEAPONS

Property Seizure:

\*Was prop No

Submit Clear Dismiss

Submit + Add Person

History 1 NCIC Response 0 Hit 0 Dispatch New 0 Updated 0 Inbox Normal 0 Critical 0

A8 ARRIVE 545 EL CAMINO REAL SC / 1095

Outbox 0 Rx Tx Er UDP GPS 11:27

MobilePublicSafety

Back Patrol... Menu Map NCIC... Clear... Events... Units... Organizer Emergency

### Anti-Bias Reporting

Stop Detail Stop Reasons Person Search Search (cont.) Stop Results

\*Result of Stop Custodial arrest pursuant to warrant (5) x

Submit Clear Dismiss

Submit + Add Person

History 1 NCIC Response 0 Hit 0 Dispatch New 0 Updated 0 Inbox Normal 0 Critical 0

A8 ARRIVE 545 EL CAMINO REAL SC / 1095

Outbox 0 Rx Tx Er UDP GPS 11:27

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Are you certain no PII is contained in the data prior to submitting?

If not, cancel and verify.

OK

Cancel



Alt+← Back

F2 Patrol...

F3 Menu

F4 Map

F5 NCIC...

F6 Clear...

F7 Events...

F8 Units...

F9 Organizer

F11 Emergency

Submit

Event Clear

Anti-Bias... (1)

Citation

Report Taken

No Report

Warning

GOA

Emp Inv Alm

Mech Inv Alm

UTL

Clear

Dismiss

Disposition Code

Report to follow (R) x

Comments

History 1

NOIC

Response 0

Hit 0

Dispatch

New 0

Updated 0

Inbox

Normal 0

Critical 0

A8 ARRIVE 545 EL CAMINO REAL SC / 1095

Outbox 0

Rx Tx Er

UDP

GPS

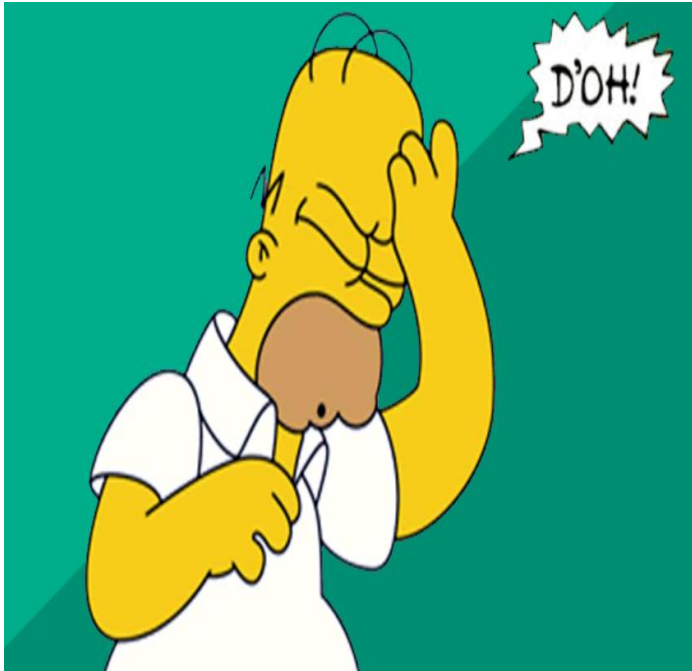
11:30

# Hexagon



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# Common RIPA errors



- Address
  - If at a residence, do **not** use exact address
    - 500 block of El Camino Real
    - 1400 block of Augustine Drive
    - May use intersections or landmarks
  - If on a K-12 campus, use the exact name of school
- **Forbidden** to ask race, age, gender or sexual orientation
- Do **not** add any personal information on the entry form
  - No DOB, tattoos, PFNs, names etc
  - **Not** an FI card



# SCPD RIPA Trainers

**John Terry**  
**Douglas Gerbrandt**  
**Jacob Malae**  
**Alex Torke**  
**Roy Gutierrez**  
**Jeremy Schmidt**

**Police Sergeant**  
**Police Sergeant**  
**Police Sergeant**  
**Police Sergeant**  
**Police Sergeant**  
**Police Sergeant**

**Supervisor Trainer**  
**Supervisor Trainer**  
**Bureau/Supervisor Trainer**  
**HSSE/Supervisor Trainer**  
**Supervisor Trainer**  
**Supervisor Trainer**

**Nick Schatz**  
**Ken Nagata**  
**Harry Adjei**  
**Tyler Duran**  
**Geena Bonilla**  
**Adam Wilson**  
**Rachel Thomas**  
**Ed Karl**  
**Tony Janovich**

**Police Officer**  
**Police Officer**  
**Police Officer**  
**Police Officer**  
**Detective**  
**CSO**  
**Police Reserve**  
**Police Reserve**

**Patrol Trainer**  
**Patrol Trainer**  
**Patrol Trainer**  
**Patrol Trainer**  
**Patrol Trainer**  
**Bureau Trainer**  
**HSSE Proxy Administrator**  
**Patrol and Reserve Trainer**  
**Patrol and Reserve Trainer**



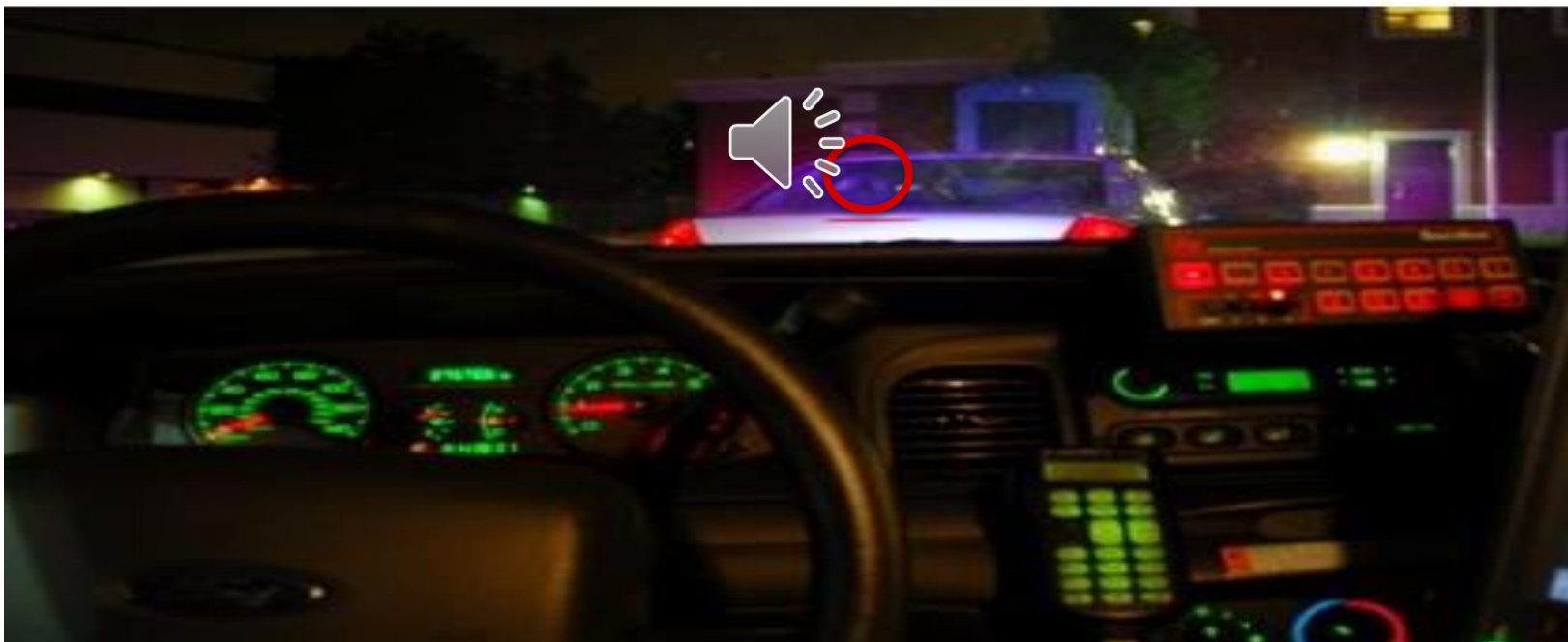
# Limitations





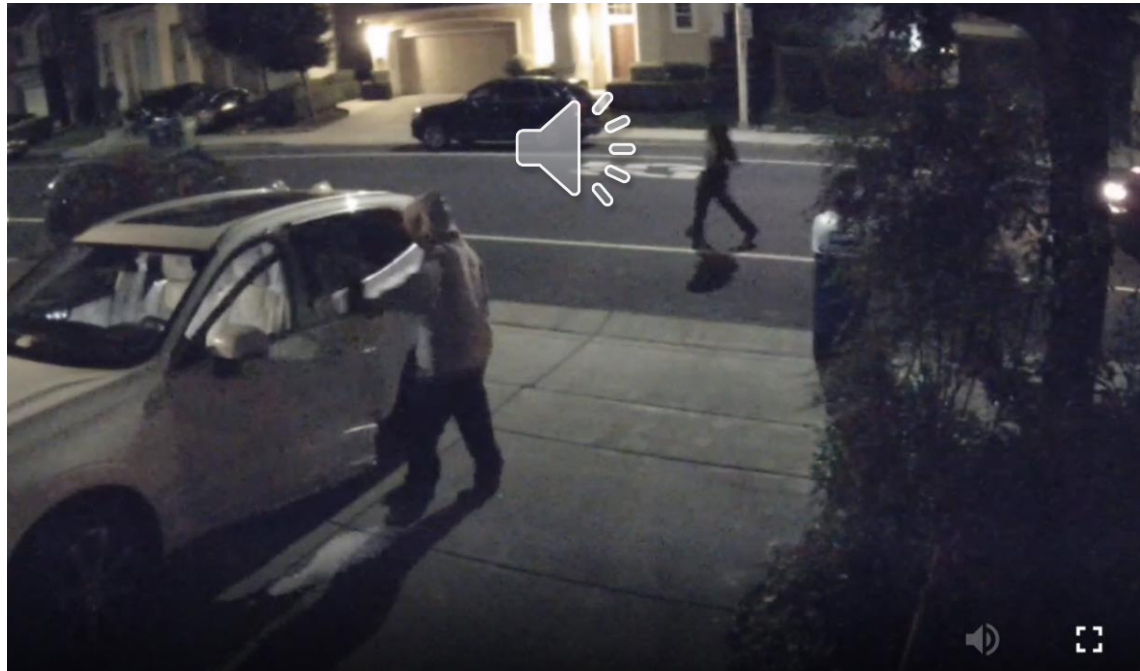


# Limitations





# Limitations





# Officer Safety

**Not a stranded  
motorist**



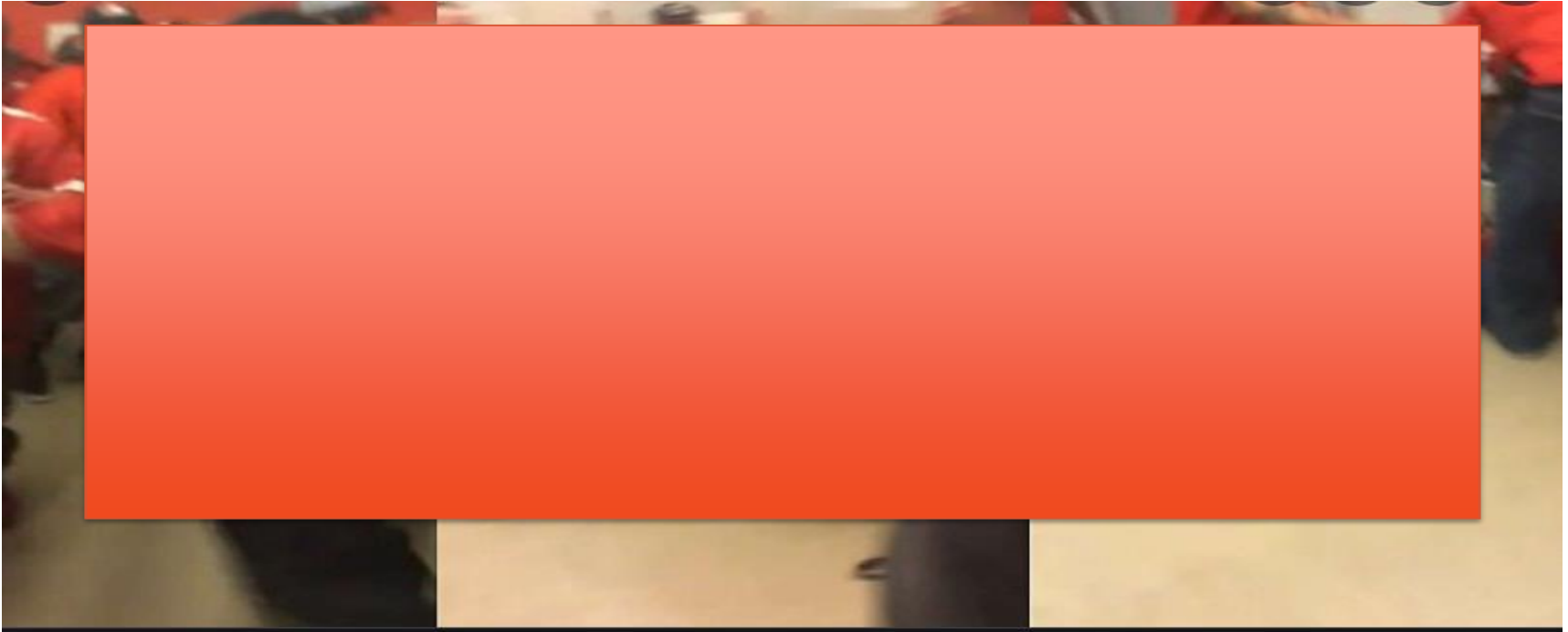
**Not a Citizen Flag Down**





# Officer Safety

Not mutual combat







# Common Questions

- Who is responsible? **Primary officer or officer with most interaction.**
- SCPD assists outside agency. Who is responsible? **Outside agency.**
- Outside agency assists SCPD. **We are responsible.**
- I pull over a minivan with 4 passengers. How many RIPA entries? **If passengers were not asked for ID, removed from vehicle or searched...only the driver requires a RIPA.**
- What events are exempt? **Natural disasters, civil unrest, correctional settings and active shooter.**
- When must we complete RIPA entry? **Preferably – when safe and end of the call. By law, entry must be submitted end of shift.**
- Does 5150 WI, Uplift, Rock Med, Sobering Station and hospital transport require RIPA entry? **Yes. This will be considered “Community Caretaking.”**
- Are CSOs and JSOs required to complete a RIPA entry? **No, unless a sworn officer is requested and intervenes. Sworn officer required to complete the RIPA entry.**
- Unique IDs – **Assigned only to you. No personal information.**



# Common Questions Continued

How long is the “duration”? From the moment of detention to the time of release or arrest. Transport, processing and booking is not part of the duration minutes/time.



I try a car stop and the driver flees. I do not make contact. What do I put in for RIPA? Change the call type to Failure to Yield. RIPA entry will not be required.

I do a consensual contact and consensual search. The contact does not rise to the level of detention. Must I complete a RIPA entry? Yes. The legislative text requires an entry for any type of search.

I transport for another officer. Do I complete a RIPA card? No. Only the primary officer is responsible for a RIPA entry.



# RIPA Roles

**Officers** – Data capture.

**SGTs and LTs** – Review for no PI&I, correct addresses and submit to CA DOJ. Compliance.

**Crime Analyst** – Data Benchmarks

**Records** – Custodian of Records

**Chief's Office** – Define the data



# Santa Clara PD RIPA Policy

## Policy 403

Santa Clara Police Department  
Santa Clara PD Policy Manual

### Racial and Identity Profiling Act (RIPA)

#### 403.1 PURPOSE AND SCOPE

On October 3, 2015, Governor Brown signed Assembly Bill 953, known as the Racial and Identity Profiling Act of 2015 (RIPA), which requires the collection and reporting of specified demographic data for all enforcement contacts to the California Department of Justice (DOJ).

On or before January 1, 2022, the Department is required to begin collecting data on all stops conducted by peace officers within the Department. Commencing on or before April 1, 2023, the Department is required to annually report to the California Attorney General data on all stops conducted by peace officers within the Department during the preceding calendar year (Government Code § 12525.5).

##### 403.1.1 DEFINITIONS

The following definitions relate to terms used within this policy:

**Peace officer:** Any sworn Department Member working outside a custodial setting.

**Detention:** A seizure of a person by an officer that results from physical restraint, unequivocal verbal commands, or words or conduct by an officer that would result in a reasonable person believing that they are not free to leave or otherwise disregard the officer.

**Stop:** Any detention of a person and/or search, including a consensual search, of the person's body or property in the person's possession or control.

##### 403.2 DATA COLLECTION

Peace officers within the Department shall complete all applicable data fields in the Department's AB 953 RIPA Stop Application for each stop. The data fields include, but are not limited to, the following:

1. The time, date, duration and location of the stop.
2. The reason for the stop.
3. The result of the stop, such as, no action, warning, citation, property seized, or arrest.
4. If a warning or citation was issued, the warning provided or violation cited.
5. If an arrest was made, the offense charged.
6. The perceived race or ethnicity, gender, and approximate age of the person stopped, provided that the identification of these characteristics shall be based on the observation and perception of the peace officer making the stop, and the information shall not be requested from the person stopped. When reporting the required data elements, the peace officer shall make his or her determination based on personal observation only. For motor vehicle stops, this section only applies to the driver, unless any actions specified under subsection 7 apply in relation to a passenger, in which case the characteristics specified in this section shall also be reported for him or her.
7. Actions taken by the peace officer during the stop, including, but not limited to, the

following:

- (a) Whether the peace officer asked for consent to search the person, and, if so, whether consent was provided.
- (b) Whether the peace officer searched the person or any property, and, if so, the basis for the search and the type of contraband or evidence discovered, if any.
- (c) Whether the peace officer seized any property and, if so, the type of property that was seized and the basis for seizing the property.

Unless an exception applies under the law, an officer conducting a stop of a person shall collect the data elements required by law for every person stopped and prepare a stop data report.

When multiple officers conduct a stop, the officer with the highest level of engagement or initial contact with the person shall collect the data elements and prepare the report.

If multiple agencies are involved in a stop and the Santa Clara Police Department is the primary agency, the Santa Clara Police Department officer shall collect the data elements and prepare the stop data report.

The stop data report should be completed by the end of the officer's shift or as soon as practicable. The stop data report must, however, be submitted within 24 hours of the stop.

##### 403.3 REPORTING TO THE CALIFORNIA ATTORNEY GENERAL

The Records Division Manager is the custodian of all data collected. The Records Manager or his/her authorized designee shall ensure data is collected and reported in accordance with Government Code section 12525.5 and that all data collected is used strictly within the scope of compliance with this policy. The data provided to the California Attorney General shall not include the name, address, social security number or other unique personal identifying information of persons stopped, searched or subjected to a property seizure, and shall not include any unique identifying information of the peace officer collecting the data.

All RIPA data collected is public record and open to public inspection. No identifying information about the peace officers collecting the data shall be publicly disclosed.

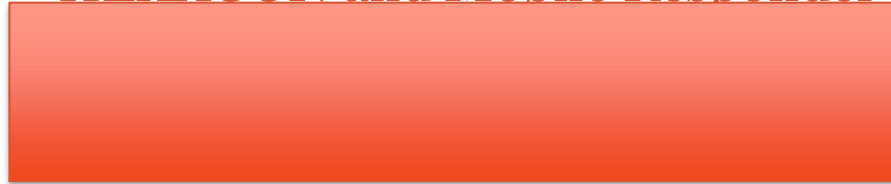
Department Members, other than the Records Manager, or his/her designee, may not access the Department's server to view RIPA data without authorization from the Chief of Police. The RIPA data collected shall not be used for disciplinary purposes or for use in performance evaluations.





# Password Resets

HEXAGON and Mobile Responder



CA DOJ



- 24/7 password reset
- Create new profiles



# CA DOJ RIPa

- **What this is.**

- **Required by law.**
- **Shall be collected for each detention(s).**
- **Public record.**
- **No identifying information of the officer collecting the data shall be publicly disclosed.**
- **Data collection by officer shall not be used as discipline.**



- **What this is not.**

- **Racial profiling.**
- **Optional.**
- **F/I card (blue card).**
- **Quota.**

# Considerations

- **Officer Safety**
- **Required by law**
- **National RIPA being drafted**
- **Work actions**
- **Quotas**
- **Integrity**
- **Trust. Autonomy.  
Cooperation.**





# **Santa Clara Police Department**

**“Hindsight is not only clearer than perception-in-the-moment but also unfair to those who actually lived through the moment.”**

**- Dr. Edwin S. Shneidman**





# Questions???





# **Santa Clara Police Department**

Thank you!

Lt. Cuong Phan